



CHARGES AND SPECIFICATIONS

PD468-121 (Rev.1-02)-Pent

Date
July 9, 2015

Command 81 st Precinct/081	Serial No. CCRB No. 201407434	I.A.B. Log No. 2015-19851	I.A.B. Member Notified Sgt. Marconi Tax NO. 935520	Department Advocate's Office Serial Number 2015-13790
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TO THE POLICE COMMISSIONER:

I hereby CHARGE Rank-Title Surname First Name Initial Shield No. Tax Reg. No.
PO JOSEPH FRANKY 30527 940320

Squad or Chart No. Command Date Entered Dept.
81st Precinct / 081 January 09, 2006

with VIOLATION OF DEPARTMENT REGULATIONS

SPECIFICATIONS

in that:

1. Said Police Officer Franky Joseph, on or about July 23, 2014, at approximately 2002 hours, while assigned to the 81st Precinct and on duty, in the vicinity of § 87(2)(b), Kings County, did wrongfully use force against § 87(2)(b), in that he pressed his right forearm onto § 87(2)(b) neck, thereby causing him to be held in a chokehold.

PG 203-11 – USE OF FORCE

2. Said Police Officer Franky Joseph, on or about July 23, 2014, at approximately 2002 hours, while assigned to the 81st Precinct and on duty, in the vicinity of § 87(2)(b), Kings County, used deadly force against § 87(2)(b), in that he pressed his right forearm onto § 87(2)(b) neck, thereby causing him to be held in a chokehold.

PG 203-12 – DEADLY PHYSICAL FORCE

3. Said Police Officer Franky Joseph, on or about July 23, 2014, at approximately 2002 hours, while assigned to the 81st Precinct and on duty, in the vicinity of § 87(2)(b), Kings County, did wrongfully use force against § 87(2)(b) in that he pushed his right hand onto § 87(2)(b) neck, thereby causing him to be held in a chokehold.

PG 203-11 – USE OF FORCE

4. Said Police Officer Franky Joseph, on or about July 23, 2014, at approximately 2002 hours, while assigned to the 81st Precinct and on duty, in the vicinity of § 87(2)(b), Kings County, used deadly force against § 87(2)(b), in that he pushed his right hand onto § 87(2)(b) neck, thereby causing him to be held in a chokehold.

PG 203-12 – DEADLY PHYSICAL FORCE

Vivian Cedeno
Deputy Chief Prosecutor
Chief of the Administrative Prosecution Unit
New York City Civilian Complaint Review Board

7/9/15
Date

Instructions: After all specifications are entered, list witnesses for the department. (If witness is civilian, enter name and address on Official Letterhead PD 158-151). If member of the force, give rank, name, shield number and command. Also indicate scheduled vacation (if any), chart, Squad no., or working schedule of complainant, respondent and witnesses (if member of the department).

1st ENDORSEMENT

Executive Director Mina Malik of the Civilian Complaint Review Board to the Police Commissioner, July 9, 2015. I concur with the issuance of charges and specifications.


 Mina Malik
 Executive Director
 New York City Civilian Complaint Review Board

INSTRUCTIONS FOR SERVICE OF CHARGES AND SPECIFICATIONS

1. Respondent will sign and complete where appropriate:
 - a. original charges and specifications
 - b. vacation and military leave form
 - c. two (2) copies of instructions and receipt of charges and specifications
 - d. agreement to accept service of notice form (when requested in suspension cases only).
2. Respondent will receive:
 - a. one (1) copy of charges and specifications
 - b. one (1) copy of instructions and receipt of charges and specifications form

ACKNOWLEDGEMENT OF SERVICE

I acknowledge due personal service on me of the within Charges and Specifications and notice of Hearing, this ____ day of _____, 20____ at _____ AM/PM.

WITNESS

RESPONDENT

 (Rank
 Title)

(Signature)

 (Rank Title)

(Signature)

DATE STAMP

D.A.O.

(Out)

CMD PREFER C&S

(In)

(Out)

HIGHER COMMAND

(In)

(Out)

D.A.O.

(In)

**CHARGES AND SPECIFICATIONS**

PD468-121 (Rev.1-02)-Pent

Date
July 9, 2015

Command 81 st Precinct/081	Serial No. CCRB No. 201407434	I.A.B. Log No. 2015-19853	I.A.B. Member Notified Sgt. Marconi Tax No. 935520	Department Advocate's Office Serial Number 2015-13791
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TO THE POLICE COMMISSIONER:

I hereby CHARGE	Rank-Title	Surname	First Name	Initial	Shield No.	Tax Reg. No.
	PO	EDOUARD	JOEL		24576	941696
Squad or Chart No.		Command			Date Entered Dept.	
		81 st Precinct / 081			July 10, 2006	
with VIOLATION OF DEPARTMENT REGULATIONS						

SPECIFICATIONS

in that:

1. Said Police Officer Joel Edouard, on or about July 23, 2014, at approximately 2002 hours, while assigned to the 81st Precinct and on duty, in the vicinity of § 87(2)(b), Kings County, did wrongfully use force against § 87(2)(b), in that he pointed his gun at § 87(2)(b), without police necessity.

PG 203-11 – USE OF FORCE

2. Said Police Officer Joel Edouard, on or about July 23, 2014, at approximately 2002 hours, while assigned to the 81st Precinct and on duty, in the vicinity of § 87(2)(b), Kings County, did wrongfully use force against § 87(2)(b), in that he punched § 87(2)(b) in the groin, without police necessity.

PG 203-11 – USE OF FORCE

3. Said Police Officer Joel Edouard, on or about July 23, 2014, at approximately 2002 hours, while assigned to the 81st Precinct and on duty, in the vicinity of § 87(2)(b), Kings County, did wrongfully use force against § 87(2)(b), in that he hit § 87(2)(b) in the leg with a baton, without police necessity.

PG 203-11 – USE OF FORCE

4. Said Police Officer Joel Edouard, on or about July 23, 2014, at approximately 2002 hours, while assigned to the 81st Precinct and on duty, in the vicinity of § 87(2)(b), Kings County did wrongfully use force against § 87(2)(b), in that he stomped on § 87(2)(b) head without police necessity.

PG 203-11 – USE OF FORCE

5. Said Police Officer Joel Edouard, on or about July 23, 2014, at approximately 2002 hours, while assigned to the 81st Precinct and on duty, in the vicinity of § 87(2)(b), Kings County used deadly force against § 87(2)(b), in that he stomped on § 87(2)(b) head, using deadly force without police necessity.

PG 203-12 – DEADLY PHYSICAL FORCE



Vivian Cedeno
Deputy Chief Prosecutor
Chief of the Administrative Prosecution Unit
New York City Civilian Complaint Review Board

7/9/15
Date

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1st ENDORSEMENT

Executive Director Mina Q. Malik of the Civilian Complaint Review Board to the Police Commissioner, July 9, 2015. I concur with the issuance of charges and specifications.


 Mina Q. Malik
 Executive Director
 New York City Civilian Complaint Review Board

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ACKNOWLEDGEMENT OF SERVICE

I acknowledge due personal service on me of the within Charges and Specifications and notice of Hearing, this ____ day of _____, 20____ at _____ AM/PM.

WITNESS

RESPONDENT

(Rank
Title)

(Signature)

(Rank Title)

(Signature)

DATE STAMP

D.A.O.

(Out)

CMD PREFER C&S

(In)

(Out)

HIGHER COMMAND

(In)

(Out)

D.A.O.

(In)